

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Susan D. Wigenton
v. : Criminal No. 09-147
EDWIN THOMAS :
: PROTECTIVE ORDER

Pursuant to the Federal Rules of Criminal Procedure, N.J. Attorney General Guideline 11-46, and N.J.A.C. 4A:1-2.2, and with the agreement and consent of all parties to the above-captioned case, and with the approval of the Court, the following conditions shall govern the production by the U.S. Attorney's Office and use by the parties of the items described herein already produced or to be produced by U.S. Attorney's Office to defense counsel:

1. To the extent that the U.S. Attorney's Office has already turned over to defense counsel such personnel files and Internal Affairs records related to Newark Police Detective Modesto Miranda and Newark Police Detective Edward Vernotica, all such documents shall be kept confidential and shall be utilized solely in the furtherance of the litigation in this case.

2. None of the information described in paragraph 1 above shall be disseminated to any persons except the parties to this litigation, counsel for the parties, staff of parties' counsel, experts retained by the parties, or witnesses whose prospective testimony requires that they be shown such material,

subject to objections raised by any of the parties under the Federal Rules of Criminal Procedure, which objections are not abrogated by this Stipulation and Order.

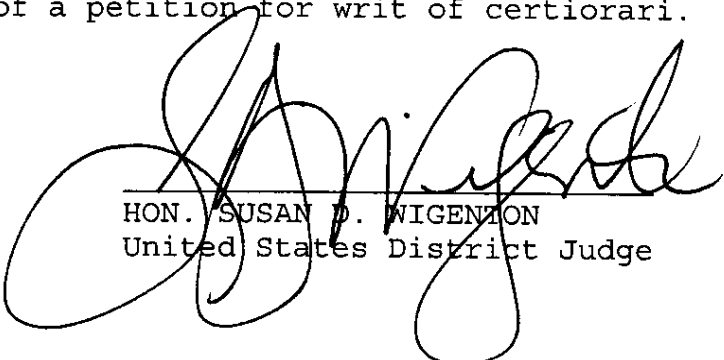
3. Persons who have access to any information subject to this Stipulation and Order shall follow procedures sufficient to preclude any unauthorized disclosure of information that would constitute an unwarranted disclosure while such information is in their custody. Specifically, this includes continuing control and supervision of documents and any information derived from them to preclude unauthorized or accidental disclosure. Information generated from documents in different form must be afforded the same protection as the source documents.

4. Attorneys for the Government and attorneys for the defense shall provide a copy of this Stipulation and Order to any individual who has access to information produced subject to this Stipulation and Order, and will obtain written acknowledgment that the terms of this Stipulation and Order are understood by such individual. Any counsel who has secured such a written acknowledgment will provide a copy of each such written acknowledgment to opposing counsel.

5. At the request of any party, and in keeping with the Federal Rules of Criminal Procedure and the Local Rules of Court, the Court may order that any information filed with the Court that is otherwise covered by this Stipulation and Order shall be filed under seal or other appropriate designation to ensure and preserve confidentiality.

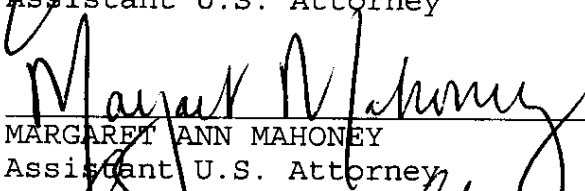
6. All information subject to this Stipulation and Order, including, all copies or reproductions of such information in any form, shall be returned to the U.S. Attorney's Office within ten (10) days from the time for appeal of any final judgment in this case. In case of an appeal, such documents shall be returned within ten (10) days of the final decision on appeal or at the end of the time for filing of a petition for writ of certiorari.

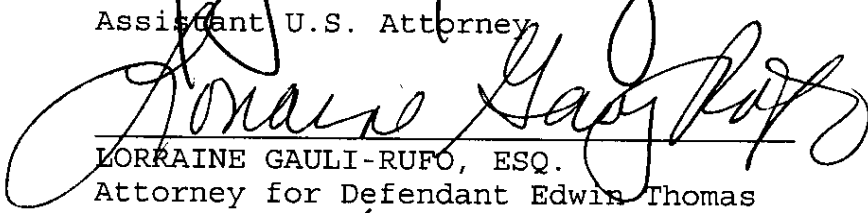
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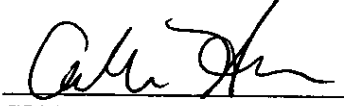

HON. SUSAN D. WIGENTON
United States District Judge

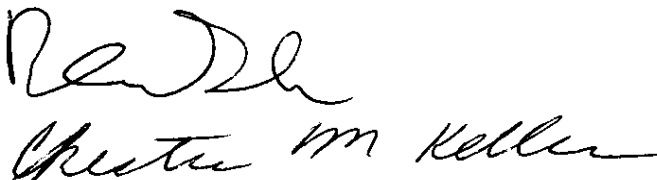
Form and entry consented to:


JONATHAN ROMANKOW
Assistant U.S. Attorney


MARGARET ANN MAHONEY
Assistant U.S. Attorney


LORRAINE GAULI-RUFO, ESQ.
Attorney for Defendant Edwin Thomas


CANDACE HOM
Attorney for Defendant Edwin Thomas


Chester M. Keller